

PART 802—OFFICIAL PERFORMANCE AND PROCEDURAL REQUIREMENTS FOR GRAIN WEIGHING EQUIPMENT AND RELATED GRAIN HANDLING SYSTEMS

Sec.

802.0 Applicability.

802.1 Qualified laboratories.

AUTHORITY: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

§ 802.0 Applicability.

(a) The requirements set forth in this part 802 describe certain specifications, tolerances, and other technical requirements for grain weighing equipment and related grain handling systems used in performing Class X and Class Y weighing services, official inspection services, and commercial services under the Act. All scales used for official grain weight and inspection certification services provided by FGIS shall meet applicable requirements contained in the FGIS Weighing Handbook, the General Code, the Scales Code, the Automatic Bulk Weighing Systems Code, and the Weights Code of the 2002 edition of National Institute of Standards and Technology (NIST) Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices" (Handbook 44); and NIST Handbook 105-1 (1990 Edition), "Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures," (Handbook 105-1). These requirements are confirmed to be met by having National Type Evaluation Program or Federal Grain Inspection Service type approval. Scales used for commercial purposes will be required to meet only the applicable requirements of the 2002 edition of the NIST Handbook 44. Pursuant to the provisions of 5 U.S.C. 552(a), with the exception of the Handbook 44 requirements listed in paragraph (b) of this section, the materials in Handbooks 44 and 105-1 are incorporated by reference as they exist on the date of approval and a notice of any change in these materials will be published in the FEDERAL REGISTER. This incorporation by reference was approved by the Director of the Federal Register in accordance

with 5 U.S.C. 552(a) and 1 CFR part 51. The NIST Handbooks are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20403. They can be downloaded without charge at <http://ts.nist.gov/ts/htdocs/230/235owmhome.htm>. They are also available for inspection at the Office of the Federal Register, 800 North Capital, Street, NW., Suite 700, Washington, DC.

(b) The following Handbook 44 requirements are not incorporated by reference:

Scales (2.20)

- S.1.8. Computing Scales
 - S.1.8.2. Money-Value Computation
 - S.1.8.3. Customer's Indications
 - S.1.8.4. Recorded Representations, Point of Sale
- S.2.5.2. Jeweler's, Prescription, & Class I & II Scales
- S.3.3. Scoop Counterbalance
- N.1.3.2. Dairy-Product Test Scales
- N.1.5. Discrimination Test (Not adopted for Grain Test Scales only)
- N.1.8. Material Tests
 - N.3.1.2. Interim Approval
 - N.3.1.3. Enforcement Action For Inaccuracy
- N.4. Coupled-in-Motion Railroad Weighing Systems
- N.6. Nominal Capacity of Prescription Scales
 - T.1.2. Postal and Parcel Post Scales
 - T.2.3. Prescription Scales
 - T.2.4. Jewelers' Scales (all sections)
 - T.2.5. Dairy—Product-Test Scales (all sections)
- T.N.3.9. Materials Test on Customer-Operated Bulk-Weighing Systems for Recycled Materials
- UR.1.4. Grain Test Scales: Value of Scale Divisions
 - UR.3.1. Recommended Minimum Load
 - UR.3.1.1. Minimum Load, Grain Dockage

Automatic Bulk Weighing Systems (2.22)

- N.1.3. Decreasing-Load Test

[68 FR 34522, June 10, 2003]

§ 802.1 Qualified laboratories.

- (a) *Metrology laboratories.* (1) Any State metrology laboratory currently